

House File 194 - Introduced

HOUSE FILE 194

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A BILL FOR

1 An Act requiring the consideration of project labor agreements
2 for certain state construction projects.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **72.6 Project labor agreements.**

2 1. For the purposes of this section:

3 *a. "Labor organization"* means an area or state building
4 and construction trades or crafts council, organization, or
5 association or a comparable body.

6 *b. "Large-scale construction project"* means the
7 construction, rehabilitation, alteration, conversion,
8 extension, repair or improvement of a vertical public works
9 project, including a building and other real property-related
10 project, where the total project cost is twenty-five million
11 dollars or more.

12 *c. "Project labor agreement"* means a comprehensive pre-hire
13 collective bargaining agreement that is negotiated between a
14 project's owner and an appropriate labor organization and sets
15 out the basic terms and working conditions for that particular
16 project.

17 2. A state agency shall consider using a project labor
18 agreement in connection with a large-scale construction project
19 as provided in this section.

20 3. In awarding a contract in connection with a large-scale
21 construction project, or in obligating funds pursuant to such a
22 contract, a state agency, on a project-by-project basis, may
23 require the use of a project labor agreement where the use will
24 advance the state's interest. In making the decision whether
25 to use a project labor agreement, the state agency shall
26 consider the following factors:

27 *a.* The potential for a labor disruption, such as a strike,
28 lockout, or slowdown, which could affect the timely completion
29 of the project.

30 *b.* The number of trades and crafts anticipated to be used
31 on the project.

32 *c.* The need and urgency of the project and the harm to the
33 public if the completion of the project is delayed.

34 *d.* The size and complexity of the project and the time
35 needed for its completion.

1 *e.* The benefits to the public from the use of the project
2 labor agreement relative to the project's cost, efficiency,
3 quality, safety, and timeliness of completion.

4 *f.* The ability to ensure compliance with all applicable
5 state laws and rules governing safety and health, equal
6 employment opportunity, labor, and employment standards.

7 4. If a state agency determines that the use of a project
8 labor agreement will advance the state's interest, the state
9 agency may require that every contractor or subcontractor
10 on the project agree, for that project, to negotiate or
11 become a party to a project labor agreement with one or more
12 appropriate labor organizations. The decision to use a project
13 labor agreement shall be supported by written findings by
14 the affected state agency which demonstrate how the use of a
15 project labor agreement will benefit the state's interest,
16 particularly with respect to the factors enumerated in
17 subsection 3.

18 5. A project labor agreement reached pursuant to this
19 section shall do all of the following:

20 *a.* Bind all contractors and subcontractors on the
21 large-scale construction project through the inclusion of
22 appropriate specifications in all relevant solicitation
23 provisions and contract documents.

24 *b.* Allow all contractors and subcontractors to compete for
25 contracts and subcontracts without regard to whether they are
26 otherwise parties to collective bargaining agreements.

27 *c.* Contain guarantees against strikes, lockouts, and similar
28 job disruptions.

29 *d.* Set forth effective, prompt, and mutually binding
30 procedures for resolving labor disputes arising during the term
31 of the project labor agreement.

32 *e.* Provide other mechanisms for labor-management cooperation
33 on matters of mutual interest and concern, including but not
34 limited to productivity, quality of work, safety, and health.

35 *f.* Fully conform to all applicable state laws and rules.

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1 conditions for public improvement projects.